

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: March 16, 2005

Division: County Attorney

Bulk Item: Yes XX No     

Staff Contact Person: Pedro Mercado

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**AGENDA ITEM WORDING:** Approval to institute litigation against Marcia Turner.

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**ITEM BACKGROUND:** Ms. Turner leased a home on long key. Beginning in 2004 code enforcement was alerted to the fact that the home was being illegally used as a vacation rental. On May 27, 2004 Ms. Turner was found in violation of the county ordinance prohibiting vacation rentals. Ms. Turner then filed a notice of appeal which has now been dismissed. During the appeal period Ms. Turner continued to advertise the property as a vacation rental and as recently as January 19, 2005, has continued to advertise and has rented the property out as a vacation rental. The county has received numerous complaints, many from disgruntled clients/renters of Ms. Turner. Monroe County Code section 9.5-534(k)(7) provides that any citizen in the county may seek injunctive relief to prevent a violation of the type being committed by Ms. Turner.

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**PREVIOUS RELEVANT BOCC ACTION:**

None

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS:**

Approval to seek an injunction against Ms. Turner enjoining her from engaging in illegal vacation rentals.

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**TOTAL COST:** N/A

**BUDGETED:** Yes      No     

**COST TO COUNTY:**                     

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No      **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty      OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**

  
(TYPE NAME HERE)

JOHN R. COLLINS, COUNTY ATTORNEY

**DOCUMENTATION:** Included      Not Required X

**DISPOSITION:**                                     

**AGENDA ITEM #**